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Orlando R. Quiroz

Date: November 5, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HP Docket No.: 70990046-2

Patent Application

Inventor(s): Kah Phang Loh

Group Art Unit: 2841

Serial No.: 09/585,261

Examiner: Tuan T. Dinh

Filed: June 2, 2000

Title: CIRCUIT BOARD ASSEMBLY

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

On May 21, 2002, the Patent Office mailed a Notice of Abandonment for this application (a copy of which is attached). The reason indicated for the abandonment was that the Applicant failed to timely file a proper reply to the Office Action dated October 3, 2001.

Applicant respectfully requests the Patent Office to withdraw the Notice of Abandonment for the above-identified patent application because the Patent Office indeed has received Applicant's timely-filed Amendment. Enclosed please find the following:

- (1). A copy of the Office Action dated October 3, 2001;

(2) A copy of the Amendment filed on March 4, 2002 (which is a Monday), accompanied with four sheets of formal drawings, a Drawing Transmittal, a petition for two-month extension, and the authorization for charging our account (the Patent Office has indeed charge our deposit account for the extension fee);

(3). A copy of the returned postcard stamped by the Patent Office on October 19, 2002, indicating the receipt of the Amendment and all other accompanying documents by the Patent Office.

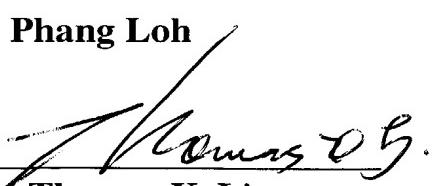
As can be seen from the above, the Patent Office has indeed received the Amendment timely filed by the Applicant. It is therefore respectfully requested that the Patent Office withdraw its holding of abandonment of the above-identified patent application. No terminal disclaimer is required since the above-identified patent application was filed after June 8, 1995.

The Patent Office is authorized to charge any petition fee against our Deposit Account No. 50-1078. A duplicate copy of this document is enclosed for deposit charging purposes.

Respectfully submitted,

Kah Phang Loh

BY:



Thomas X. Li

Reg. No. 37,079

Date: **November 5, 2002**

Tel. No.: **(650) 485-4881**

Agilent Technologies, Inc.
Legal Department, DL429, IPA
P.O. Box 7599
Loveland, CO 80537-0599



UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 05 2002

U
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/585,268 TRADIMARY	06/02/2000	Kah Phang Loh	70990046-2	5640

22878 7590 05/21/2002

AGILENT TECHNOLOGIES, INC.
INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT.
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JAS 520-87

EXAMINER

TALBOTT, DAVID L

ART UNIT

PAPER NUMBER

2827

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Abandonment

RECEIVED
- 4 JUN 2002

BY: _____



Notice of Abandonment

Application No.

09/585,261

Examiner

Q. Vu

Applicant(s)

LOH, KAH PHANG

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 03 October 2001.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

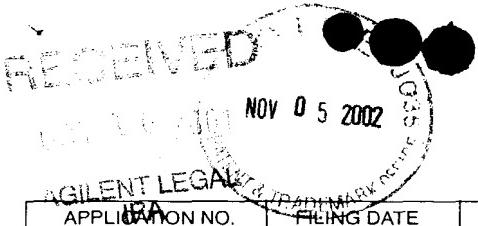
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:


DAVID L. TALBOTT
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2800

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AGILENT LEGAL APPLICATION NO.	TM REGISTRATION NO. FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/585,261 06/02/00 LOH
09/585 261 6-2-00

022678 MM91/1003
AGILENT TECHNOLOGIES, INC.
INTELLECTUAL PROPERTY ADMINISTRATION, LE
P.O. BOX 7599
M/S DL429
LOVELAND CO 80537-0599

COPY

US ACTION 1-3-A
DUE DATE _____
Paper Dated _____
OA FINAL
Mag Pl. _____ Dvgs. _____
Appeal _____ Issue Fee _____
Other _____

K 70990046-2

EXAMINER

DINH.T

JMS

ART UNIT

PAPER NUMBER

2841

DATE MAILED:

10/03/01

10-03-01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

RECEIVED
15 OCT 2001
BY: _____

NOV 05 2002

Office Action Summary

Application No.

09/585,261

Applicant(s)

LOH, KAH PHANG

Examiner

Tuan T Dinh

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 September 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) 8 and 9 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 and 10-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 June 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

- 4) Interview Summary (PTO-413) Paper No(s) _____
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

Applicant's election of **Group I in Paper No. 5** is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been **treated as an election without traverse (MPEP § 818.03(a)).**

Drawings

Figures 1-5 should be designated by a legend such as --**Prior Art**-- because only that which is old is illustrated. See MPEP § 608.02(g).

Claim Objections

Claim 1 is objected to because of the following informalities:

Claim 1, line 4, after "side surface" insert --said planar circuit board--

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-7 and 10-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Fujii (U. S. Patent 6,023,414).

As to claim 1, Fujii discloses a circuit board assembly as shown in figures 1-7 comprising:

a planar circuit board (2, column 4, line 5) having a major surface and a side surface (see figure 3);

a planar substrate (12, column 3, line 16) mounted on the major surface of the circuit board, an extended portion of the planar substrate extending beyond the side surface; and

a substrate (13, column 1, line 32) consider as an optical transceiver module mounted on the extended portion of the substrate (12) adjacent the side surface of the printed circuit board (2-figure 3-4).

As to claim 2, Fujii discloses a circuit board assembly as shown in figures 3-4 wherein the planar circuit board (2) includes an end portion defining a recess (20, column 4, line 9) in which the optical transceiver module (13) is disposed.

As to claim 3, Fujii discloses a circuit board assembly as shown in figures 1-7 wherein the planar substrate (12) includes electrically conductive interconnects (12d, column 4, line 30) for coupling electrical terminals on the optical transceiver module with electrical terminals on the planar circuit board.

As to claim 4, Fujii discloses a circuit board assembly as shown in figure 4 wherein the planar substrate (12) and the planar circuit board (2) are substantially parallel.

As to claim 5, Fujii discloses a circuit board assembly as shown in figures 1-7 wherein the planar substrate is soldered onto the major surface of the planar circuit board (column 4, lines 29-31).

As to claim 6, Fujii discloses a circuit board assembly as shown in figures 1-2 wherein the optical transceiver module is soldered onto the extended portion of the planar substrate.

As to claim 7, Fujii discloses a circuit board assembly as shown in figures 3-7 wherein the optical transceiver module is mounted on, and the major surface of the planar circuit board faces a same side of the planar substrate.

As to claim 10, Fujii discloses a circuit board assembly as shown in figures 1-7 comprising:

'a planar circuit board (2) having a major surface, and a side surface defining a recess (20);

a planar substrate (12) mounted on the major surface of the circuit board (2), an extended portion of the planar substrate extending over the recess (see figure 4); and

an optical transceiver module (13) mounted on the extended portion of the substrate (12) so as to be disposed in the recess (20) of the circuit board.

As to claim 11, Fujii discloses an optical transceiver module package (1) for mounting on a planar circuit board (2-figures 3-7) having a major surface and a side surface, the major surface provided with electrical terminals (21), the optical transceiver module package as shown in figures 1-7 comprising:

a planar substrate (12) for mounting on the major surface of the circuit board (2) so that an extended portion of the planar substrate (12) extends beyond the side surface (see figure 4);

an optical transceiver module (13) provided with electrical terminals and mounted on the extended portion of the substrate (12) adjacent the side surface of the printed circuit board; and

electrically conductive interconnects (12d) associated with the planar substrate for coupling the electrical terminals on the optical transceiver module (13) with electrical terminals (21 on the planar circuit board (2).

As to claim 12, Fujii discloses an optical transceiver module package (1) as shown in figures 1-7 comprising:

a planar substrate (12) for mounting on the major surface of a circuit board (2) so that an extended portion of the planar substrate extends over a recess (20) of the circuit board;

an optical transceiver module (13) provided with electrical terminals and mounted on the extended portion of the substrate (12) so as to be disposed in the recess; and

electrically conductive interconnects (12d) associated with the planar substrate (12) for coupling the electrical terminals on the optical transceiver module with electrical terminals (21) on the planar circuit board.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Verdiell, Shih et al., Kunii et al. Disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

Application/Control Number: 09/585,261
Art Unit: 2841

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



TD
September 28, 2001

Jayprakash N. Gandhi
Primary Examiner
Technology Center 2800

Notice of References Cited

Application/Control No.

09/585,261

Applicant(s)/Patent Under

Reexamination

LOH, KAH PHANG

Examiner

Tuan T Dinh

Art Unit

2841

Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
A	US-5977567	11-1999	Verdiell	257	99
B	US-6023414	02-2000	Fujii	361	761
C	US-6188132	02-2001	Shih et al.	257	724
D	US-6252252	06-2001	Kunii et al.	257	81
E	US-				
F	US-				
G	US-				
H	US-				
I	US-				
J	US-				
K	US-				
L	US-				
M	US-				

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
W	
X	

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

PATENT APPLICATION

Sheet 1 of 1

FORM PTO-1449

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

70990046-2

SERIAL NO.

09/58261

APPLICANT

Kah Phang LOH

FILING DATE

GROUP

2841

1c583 U.S. PRO
09/58261
06/02/00

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
TV	1A	5,506,445	4/9/96	Rosenberg	257	666
	1B					
	1C					
	1D					
	1E					
	1F					
	1G					
	1H					
	1I					
	1J					
	1K					

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	1L							
	1M							
	1N							
	1O							
	1P							

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

	1Q	
	1R	
	1S	

EXAMINER

DATE CONSIDERED